

# Congress of the United States

Washington, DC 20515

July 25, 2000

The Honorable Charlene Barshefsky  
Office of the U.S. Trade Representative  
600 17<sup>th</sup> Street, N.W.  
Washington, D.C. 20508

Dear Ambassador Barshefsky:

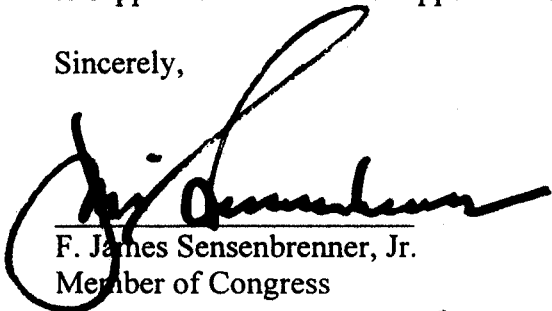
It has come to our attention that the United States may not appeal a recent decision against U.S. copyright law by the World Trade Organization (WTO). We are writing to strongly urge you to appeal this decision.

Congressional debate over fairness in music licensing was a long and difficult battle. Section 110(5) of U.S. copyright law reflects a compromise that took great effort to reach. While the U.S. House of Representatives strongly supported, in bipartisan fashion, a significantly broader exemption under Section 110(5), we support the compromise that is now law.

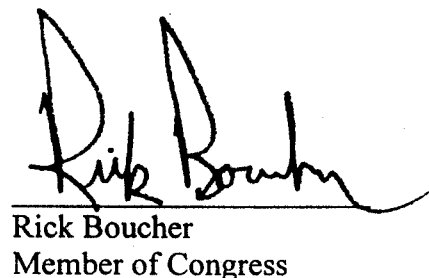
At the time of debate, the Administration made clear its opposition to any fairness in music licensing legislation. However, the plain language of the applicable international obligations clearly contemplates legislation allowing limitations and exceptions to the exclusive rights of authors. Indeed, we believe the compromise that became the fairness in music licensing law provides a reasonable "business exemption" because it applies only where the transmission is properly licensed, i.e., where right holders have been compensated.

While it is unfortunate that the WTO did not share Congress' view, it is of grave concern that the Administration would now fail to vigorously appeal the decision. Again, we strongly urge you to support U.S. law and to appeal the decision of the WTO to strike down Section 110(5)(b).

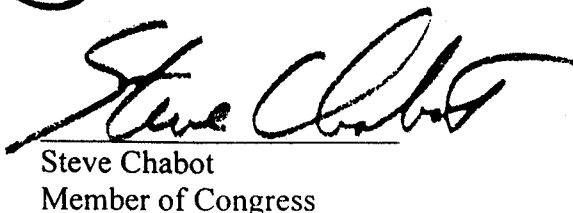
Sincerely,



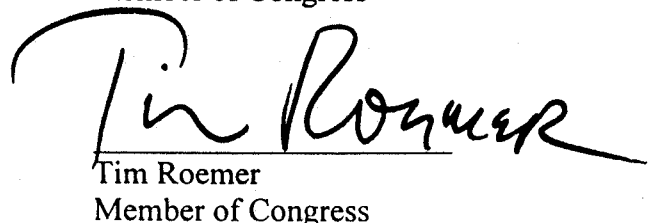
F. James Sensenbrenner, Jr.  
Member of Congress




Rick Boucher  
Member of Congress



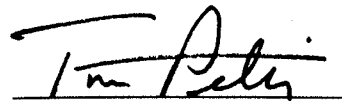
Steve Chabot  
Member of Congress



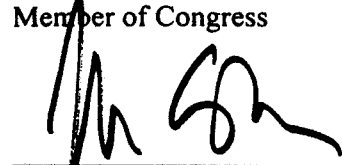
Tim Roemer  
Member of Congress



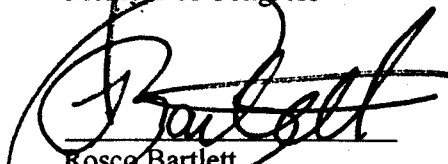
Mark Green  
Member of Congress



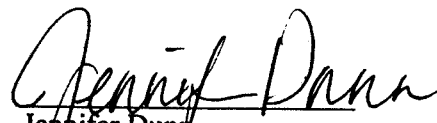
Tom Petri  
Member of Congress



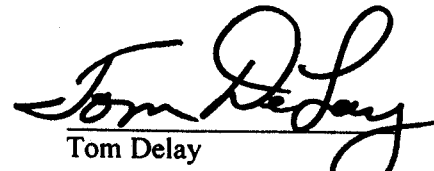
John Shimkus  
Member of Congress



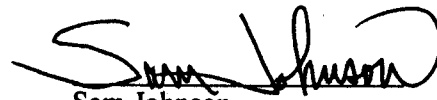
Rosco Bartlett  
Member of Congress



Jennifer Dunn  
Member of Congress



Tom Delay  
Member of Congress



Sam Johnson  
Member of Congress



George Deakas  
Member of Congress